



DEPT 3 REF

Attorney Docket No: 1075.1152

S&H Form: (2/01)

2006 NOV 17 PM 3:57

US PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Yoshifusa TOGAWA, et al.

Application No.: 09/818,547

Group Art Unit: 2153

Confirmation No.: 9434

Filed: March 28, 2001

Examiner: Krisna Lim

For: MAIL SYSTEM, MAIL ADDRESS MANAGING APPARATUS, MAIL TRANSMITTING METHOD, AND COMPUTER-READABLE RECORDING MEDIUM IN WHICH MAIL SYSTEM PROGRAM IS RECORDED

REQUEST FOR REFUND TO DEPOSIT ACCOUNT

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

On August 22, 2006, we filed a Request for Continued Examination (RCE), in which we paid the \$790.00 fee by our check number 44458 (copy of RCE and date-stamped receipt postcard is enclosed). On September 26, 2006, a Notice of Improper Request for Continued Examination was issued (copy enclosed).

It is respectfully requested that the \$790.00 RCE fee be refunded to the undersigned firm's Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 11-6-06

By: Derrick L. Fields  
Derrick L. Fields  
Registration No. 50,133

1201 New York Ave, N.W., 7th Floor  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501

Please Date Stamp and return

# COPY

RCE WITH INFORMATION DISCLOSURE STATEMENT WITH PTO-1449 AND TWO REFERENCES  
AND CHECK FOR \$790.00

APPLICANT(S): Yoshifusa TOGAWA, et al.

SERIAL NO: 09/818,547

CONFIRMATION NO. 9434

TITLE: MAIL SYSTEM, MAIL ADDRESS MANAGING APPARATUS, MAIL  
TRANSMITTING METHOD, AND COMPUTER-READABLE RECORDING  
MEDIUM IN WHICH MAIL SYSTEM PROGRAM IS RECORDED

FILING DATE: March 28, 2001

DOCKET NO: 1075.1152/DLF:jmv

DUE DATE: September 5, 2006



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S&amp;H Form: PTO/SB/30 (12/04)

## REQUEST FOR CONTINUED EXAMINATION (RCE)

### TRANSMITTAL

(INCLUDING FILING FEE AND/OR PETITION FOR  
EXTENSION OF TIME FEE)

Subsection (b) of 35 U.S.C. §132, effective May 29, 2000  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

To: Commissioner for Patents  
Box RCE  
PO Box 1450  
Alexandria, VA 22313-1450

Attorney Docket No.: 1075.1152

First Named Inventor	Yoshifusa TOGAWA, et al.		
Application No.	09/818,547	Group Art Unit	2153
Filing Date	March 28, 2001	Examiner	Krisna Lim
CPA Filing Date		Confirmation No	9434
Title of Invention	MAIL SYSTEM, MAIL ADDRESS MANAGING APPARATUS, MAIL TRANSMITTING METHOD, AND COMPUTER-READABLE RECORDING MEDIUM IN WHICH MAIL SYSTEM PROGRAM IS RECORDED		

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

1.


#### Submission required under 37 C.F.R. §1.114 (Box a or b must be completed)

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other

2.

#### Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §103(c) for a period of \_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required).
- b. ☐ Other

BASIC FEE		\$	790.00
Since an Official Action set an <u>original</u> due date of <u>September 5, 2006</u> , petition is hereby made for an extension of time to cover the date this RCE is filed, for which the requisite fee is enclosed (1 month (\$120)); (2 months (\$450)); (3 months (\$1,020)); (4 months (\$1,590)); (5 months (\$2,160)).			
Suspension Fee (\$130.00)			
Total of above Calculations =		\$	790.00
Reduction by 50% for filing by small entity (Note 37 C.F.R. 1.9, 1.27, 1.28).		\$	790.00
TOTAL FEES DUE =		\$	790.00
4. <input type="checkbox"/> Small entity status: a. <input type="checkbox"/> Verified Statement Claiming Small Entity Status. b. <input type="checkbox"/> A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired. c. <input type="checkbox"/> is no longer claimed. 5. <input type="checkbox"/> Other:			
<b>6. METHOD OF PAYMENT</b>			
<input checked="" type="checkbox"/> A check in the amount of \$ <u>\$790.00</u> is enclosed. <input type="checkbox"/> Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.)			
<b>7. GENERAL AUTHORIZATION</b>			
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: <u>Deposit Account No. 19-3935.</u>			
<b>8. CORRESPONDENCE ADDRESS</b>			
STAAS & HALSEY LLP  21171 PATENT TRADEMARK OFFICE			
<b>9. SIGNATURE OF ATTORNEY OR AGENT REQUIRED</b>			
NAME	Derrick L. Fields	REGISTRATION NO.	50,133
SIGNATURE	<i>Derrick L. Fields</i>	DATE	<i>August 22, 2006</i>

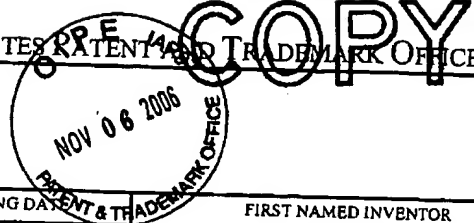
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2F



UNITED STATES PATENT AND TRADEMARK OFFICE

PCE filed 8-22-06



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,547	03/28/2001	Yoshifusa Togawa	1075.1152	9434

21171 7590 09/26/2006  
STAAS & HALSEY LLP  
SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER
LIM, KRISNA

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 09/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

SEP 28 2006

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UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

DATE MAILED:

**NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)**

The request for continued examination (RCE) under 37 CFR 1.114 filed on 8-22-06 is improper for reason(s) indicated below:

- ☐ 1. Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d). An RCE cannot be treated as a CPA.
- ☐ 2. Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b).
- ☒ 3. Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be entered and considered under 37 CFR 1.111. If the RCE was not accompanied by a reply, the time period set forth in the last Office action continues to run from the mailing date of that action.
- ☐ 4. The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
- ☐ 5. The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on \_\_\_\_\_. Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.
- ☐ 6. The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
- ☐ 7. The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.

**Note:** A continued prosecution application (CPA) under 37 CFR 1.53(d) cannot be filed in a utility or plant application. A CPA filed in a utility or plant application that has a filing date on or after June 8, 1995 will be treated as an RCE under 37 CFR 1.114. The request for a CPA in the instant application, however, has been treated as an improper RCE for the reason(s) indicated above.

**A copy of this Notice MUST be returned with the reply.**

Direct any questions concerning this notice to

Narryl Forte, Technology Center 2100  
(571) 272-3580



# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

(INCLUDING FILING FEE AND/OR PETITION FOR  
EXTENSION OF TIME FEE)

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provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA)

To: Commissioner for Patents Box RCE PO Box 1450 Alexandria, VA 22313-1450		Attorney Docket No.: 1075.1152	
First Named Inventor	Yoshifusa TOGAWA, et al.		
Application No.	09/818,547	Group Art Unit	2153
Filing Date	March 28, 2001	Examiner	Krisna Lim
CPA Filing Date		Confirmation No.	9434
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1. Submission required under 37 C.F.R. §1.114 (Box a or b must be completed)			
a. <input type="checkbox"/> Previously submitted i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered). ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____ iii. <input type="checkbox"/> Other b. <input checked="" type="checkbox"/> Enclosed i. <input type="checkbox"/> Amendment/Reply ii. <input type="checkbox"/> Affidavit(s)/Declaration(s) iii. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS) iv. <input type="checkbox"/> Other			
2. Miscellaneous			
a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. §103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. §1.17(i) required). b. <input type="checkbox"/> Other			

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08/23/2006 MBIZUNES 00000050 09818547

01 FC:1801

790.00 DP

Adjustment date: 11/20/2006 SDIRETA1

08/23/2006 MBIZUNES 00000050 09818547

01 FC:1801

-790.00 DP

Repln. Ref: 11/20/2006 SDIRETA1 0009285700  
Date: 11/20/2006 Name/Number: 09818547  
FC: 9204 \$790.00

Page 1 of 2

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